


<p>California Department of Justice DIVISION OF CALIFORNIA JUSTICE INFORMATION SERVICES Nick L. Dedier, Director/CIO</p>		<h1>INFORMATION BULLETIN</h1>	
<p><i>Subject:</i> Registration Requirements - Convictions Under Penal Code Section 314, Indecent Exposure</p>	<p><i>No.</i> 04-04-BCIA</p>	<p><i>Contact for information:</i> Michael Boruff, Assistant Manager Sex Offender Tracking Program (916) 227-3288</p>	
	<p><i>Date:</i> 1/15/04</p>		

TO: ALL CALIFORNIA LAW ENFORCEMENT AND CRIMINAL JUSTICE AGENCIES

This is to provide clarification concerning the registration requirements pursuant to California Penal Code (PC) section 290 for persons convicted under PC section 314 relating to indecent exposure. California law requires any person convicted under section 314 PC to register as a sex offender, **unless:**

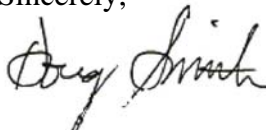
- C the conviction occurred before July 1, 1944, or
- C there is a finding by the court that such registration would constitute “cruel and unusual punishment” in the offender’s case, or
- C a valid Certificate of Rehabilitation was granted after the conviction.

As a result of changing case law in this area, some offenders who are now required to register may have previously been informed otherwise. Agencies that may come into contact with such offenders are advised to formally notify them of their registration requirements. In such instances, a new Notice of Sex Offender Registration Requirement form (SS-8047) should be completed.

If an offender is not required to register on the basis of a court order holding that such registration would constitute “cruel and unusual punishment,” a copy of that order should be forwarded to the Department of Justice’s Sex Offender Tracking Program (SOTP). The notation, “Not required to register for this conviction,” will be added to the offender’s criminal history record. It should be noted that PC section 314 is an offense not subject to public disclosure pursuant to California Megan’s Law, PC section 290.4.

If you have any questions regarding this Information Bulletin, please contact Michael Boruff, SOTP, at (916) 227-3288 or via e-mail at VCIN.SOTP@doj.ca.gov attention Michael Boruff.

Sincerely,



DOUG SMITH, Deputy Director
Division of California Justice Information Services

For **BILL LOCKYER**
Attorney General